

HOUSE No. 85

By Mr. Fagan of Taunton, petition of James H. Fagan relative to the collection of signatures for initiative and referendum petitions. Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO PERSONS COLLECTING SIGNATURES FOR INITIATIVE AND REFERENDUM PETITIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 53 of the General Laws, as appearing in the 2002 Offi-
2 cial Edition, is hereby amended by inserting after section 22A the
3 following section:—
4 Section 22A½. Any person who collects, or attempts to collect,
5 signatures for an initiative or referendum petition shall, at all
6 times he is actively engaged in such activity wear a sticker,
7 button, or other similar such marking on a conspicuous place on
8 the outer layer of his clothing readily visible to persons being
9 solicited. All words on such sticker, button, or other similar
10 marking shall be in at least 14-point type size. Such sticker,
11 button, or other similar marking shall contain at least the
12 following information: (a) the first and last names of the person
13 soliciting signatures; (b) the full name of the person, corporation,
14 organization, committee, or other entity on behalf of whom the
15 person is soliciting signatures; (c) the full names of all persons,
16 corporations, organizations, committees, or other entities hired or
17 retained by the entity named in (b) above for the purpose of
18 obtaining signatures; and (d) a statement disclosing how much, if
19 any, compensation the person is receiving for soliciting
20 signatures, provided, however, that if said person is compensated
21 on a per-signature basis, the statement shall read “I am being paid
22 \$ (insert amount) for each signature I collect,” and provided

23 further, that if said person is compensated on an hourly basis, that
24 statement shall read “I am being paid \$ (insert amount) per hour to
25 collect these signatures.” Any person who collects, or attempts to
26 collect, signatures for an incentive or referendum petition, and
27 who fails to comply with the provisions of this section shall be
28 punished by a fine of not more than five hundred dollars, and in
29 addition, the person, corporation, organization, committee, or
30 other entity on behalf of whom the person is soliciting signatures
31 shall also be punished by a fine of not less than five thousand dol-
32 lars for each individual violation. The secretary of state may pro-
33 mulgate rules and regulations interpreting the provisions of this
34 section.